

Emergency Regulations

Concerning

Poultry Dealer Standards and the Prevention of Avian Disease.

The Department of Agriculture is proposing emergency regulations to prevent the introduction of avian disease into Connecticut poultry flocks. The focus of these regulations is to ensure live poultry entering our state are from avian disease free sources and to prevent the introduction of avian disease through contaminated articles, by requiring vehicles, poultry crates or other equipment be cleaned and disinfected between use.

The commercial poultry industry in Connecticut is comprised of 4.8 million egg laying hens, 100,000 broiler birds, 60,000 commercial turkeys, 50,000 game birds and a company that produces specific pathogen free eggs and other poultry products for the pharmaceutical industry. In addition to the commercial industry there is a vibrant community of poultry breeders and fanciers, 4-H youth flocks and numerous hobby flocks.

In 2003 the Department of Economic and Community Development estimated that an Avian Influenza (AI) outbreak at Connecticut's largest egg producer and the depopulation of the birds would cost the Connecticut economy 194.2 million dollars. This did not include the cost to the United States poultry industry as a whole from the loss of exports if other countries choose to close their markets to United States poultry products if the state of Connecticut has an outbreak of avian disease.

Background

In 2001, 16,000 broilers at a farm in the southeastern part of Connecticut were infected with a low pathogenic H7N2 Avian Influenza virus and were depopulated. In 2003, one of the State's largest agricultural businesses, an egg producing farm with 4.7 million hens was also exposed to a low pathogenic H7N2 Avian Influenza virus. In this instance the Department successfully avoided depopulation through a new and innovative vaccination program. This may not be possible with highly pathogenic Avian Influenza or the Asian H5N1 virus.

The high pathogenic H5N1 strain first appeared in Hong Kong in 1997, killing six people and leading to the slaughter of over a million chickens. After the virus resurfaced over the winter of 2003-2004 in southeast Asia, it spread quickly through China and then Russia, requiring the slaughter of an estimated 180 million chickens and ducks. The H5N1 virus has reached Europe and Africa in the last five months.

The emergence of the Asian H5N1 AI is causing great concern in Connecticut's commercial poultry industry and has caused considerable damage to the poultry industries in Asia and Europe. Wild migratory birds can harbor and can transmit AI to domestic birds and it is widely believed that the Asian H5N1 AI virus may enter the United States through the Pacific flyway which overlaps parts of Asia. H5N1 AI virus is also of grave concern to public health authorities because of it's potential to mutate into a form that may infect humans and then be capable of transmission from human to human resulting in the possibility of a pandemic flu outbreak. To date, this mutation has not happened and Asian H5N1 AI is still a disease of birds and poultry which is not easily transmitted to humans.

These regulations are prudent steps that give the Department the ability to regulate live bird markets, poultry dealers and poultry haulers within this State and entering this State. These regulations are designed to protect the health of Connecticut's poultry flock and the public health by preventing, to the best of our ability the introduction of Avian Influenza viruses, and other poultry diseases.

(NEW) Sec. 22-324-12. Definitions.

As used in sections 22-324-12 and 22-324-13, inclusive, of the Regulations of Connecticut State Agencies:

- (1) "Avian influenza" means a viral disease of poultry caused by the avian influenza virus.
- (2) "Certificate of Veterinary inspection" means an official document that includes a statement by the examining veterinarian that the poultry identified on the certificate are from an avian influenza tested or monitored flock, the date, a statement of negative avian influenza status and the laboratory accession number(s) of the qualifying tests.
- (3) "Established Flock" means a group of poultry of the same species held together on a single premise for at least twenty-one (21) days with no additions or any group of poultry on one premise that has been isolated for at least twenty-one (21) consecutive days with no additions.
- (4) "Monitored Flock" means an established flock where at least thirty (30) birds are tested monthly for the presence of Avian Influenza virus and the birds have been found negative for at least three (3) consecutive months. If the established flock contains less than thirty (30) birds, all birds must be tested.
- (5) "Official Health Certificate" means an official form completed and issued by a licensed accredited veterinarian of the state of origin or by a veterinarian employed by either the state of origin or the U.S. Department of Agriculture (USDA), and which includes:
 - (A) The complete name and address of the consignor and the consignee, including final destination if different from consignee's address;
 - (B) An accurate description with complete identification of the animal(s) listed;
 - (C) The date and results of any required test(s) conducted;
 - (D) A complete description (including dates of administration) of any vaccinations and/or treatment; and
 - (E) Designation of the purpose the animal is to be imported for (i.e., breeding, sale, etc.).
- (6) "NPIP" means the National Poultry Improvement Plan.
- (7) "Test Certificate" means a certificate issued by a state or country regulatory agency responsible for animal health in the flock's state or country of origin. The test certificate shall include the test results and premise identification.

(NEW) Sec. 22-324-13. Importation of live poultry and hatching eggs.

- (a) Each person, firm, limited liability company or corporation that transports or arranges to transport live poultry or hatching eggs into this state for the purpose of being sold, or to be bred, kept, raised, exhibited in public settings or to be used to produce eggs shall obtain an official health certificate or a certificate of Veterinary inspection or a test certificate from the state or country of origin. Imported live poultry and hatching eggs shall be accompanied by one (1) of the following:
 - (1) An official health certificate or certificate of Veterinary inspection which shall state that the imported live poultry or hatching eggs identified on the official health certificate or certificate of Veterinary inspection are certified by a state or country of origin animal health official, as being from an avian influenza monitored flock; or
 - (2) An official health certificate or certificate of Veterinary inspection which states that each live poultry identified on the official health certificate or certificate of Veterinary inspection has tested negative for the presence of the avian influenza virus using a test approved by the commissioner, within ten (10) days of the date of being moved, and each bird is identified with a permanent tamper evident official identification number; or

(3) An official health certificate, certificate of Veterinary inspection or test certificate stating that the imported live poultry identified on the official health certificate, certificate of Veterinary inspection or test certificate are from an established flock in which a random sample of thirty (30) live poultry tested negative for the presence of the avian influenza, using a test approved by the commissioner, within ten (10) days of the date of being moved; or

(4) A National Poultry Improvement Plan (NPIP) Form VS 9-3 or equivalent that states that the imported live poultry identified on the NPIP Form VS 9-3 or equivalent are from a flock that has a current National Poultry Improvement Plan classification of "U.S. Avian Influenza Clean" or better.

- (b) Imported live poultry, five (5) months or more of age, must originate from a flock with a current NPIP classification of "U.S. Pullorum-Typhoid Clean" or better, or test negative to an agglutination test for Pullorum-Typhoid disease within 30 days immediately prior to entry into this state. Imported live poultry less than five (5) months of age and all hatching eggs must originate from a hatchery or other premises that are under the supervision of poultry disease control officials from the state or country of origin, and have a current NPIP classification of "U.S. Pullorum-Typhoid Clean" or better.
- (c) The person, firm, limited liability company or corporation transporting live poultry or hatching eggs into this state shall submit the test certificate, official health certificate or Certificate of Veterinary inspection to the commissioner along with the documentation required pursuant to section 22-325 of the Connecticut General Statutes.
- (d) This section shall not apply to live poultry or hatching eggs being transported through this state to another state without stopping or live poultry imported into this State for immediate slaughter provided that live poultry imported for immediate slaughter are not commingled with other birds or sold live, offered for sale live, or transferred to another person, firm, company or corporation live.

(NEW) Sec. 22-326s-1. Definitions.

As used in sections 22-326s-2 through 22-326s-9, inclusive, of the Regulations of Connecticut State Agencies:

- (1) "Approved laboratory" means any laboratory approved by Commissioner and USDA to perform official testing.
- (2) "Avian influenza" means a viral disease of poultry caused by the avian influenza virus.
- (3) "Avian influenza monitored flock" means a flock subjected to such avian influenza control measures as are required by an established avian influenza monitoring program approved by the animal health authority of the state or country of the flock's origin and that complies with State of Connecticut and USDA standards for the prevention and control of Avian Influenza.
- (4) "Bird holding device" means any crate, cage or device used to contain birds while in transit or used to contain birds during and prior to being sold or offered for sale.
- (5) "Bird" has the same meaning as "poultry" as defined in section 22-326s of the Connecticut General Statutes.
- (6) "Certificate of Veterinary inspection" means an official document prepared by the examining veterinarian that includes a statement that the poultry identified on the certificate are from an avian influenza tested or monitored flock, the date, a statement of negative avian influenza status and the laboratory accession number(s) of the qualifying tests.
- (7) "Established Flock" means a group of poultry of the same species held together on a single premise for at least twenty-one (21) days with no additions or any group of poultry on one premise that has been isolated for at least twenty-one (21) consecutive days with no additions.
- (8) "Monitored Flock" means an established flock where at least thirty (30) birds are tested monthly for the presence of Avian Influenza virus and the birds have been found negative for at least three (3) consecutive months. If the established flock contains less than thirty (30) birds, all birds must be tested.

- (9) "NPIP" means the National Poultry Improvement Plan.
- (10) "Official Health Certificate" means an official form completed and issued by a licensed accredited veterinarian of the State of origin or by a veterinarian employed by either the State of origin or the U.S. Department of Agriculture (USDA), and which contains:
- (A) The complete name and address of the consignor and the consignee, including final destination if different from consignee's address;
 - (B) An accurate description with complete identification of the animal(s) listed;
 - (C) The date and results of any required test(s) conducted;
 - (D) A complete description (including dates of administration) of any vaccinations and/or treatment; and
 - (E) Designation of the purpose the animal is to be imported for (i.e., breeding, sale, etc.).
- (11) "Official identification" means an individual or lot identification number or numbering system approved by the Commissioner which is assigned to individual birds or a lot of birds.
- (12) "Source flock" means the flock, where the poultry were hatched and resided until moved directly to a poultry market or the flock where the poultry have resided, prior to being moved, for at least twenty-one (21) days, provided that no poultry from any untested or unmonitored flock has been added to the poultry being moved within twenty-one (21) days of such movement.
- (13) "Test Certificate" is a certificate issued by a state or country regulatory agency responsible for animal health in the flock's state or country of origin. The test certificate shall include the test results and premise identification.
- (14) "Tested Flock" means an established flock in which thirty (30) birds have tested negative for the avian influenza no more than ten (10) days prior to movement and no birds have been added to the flock after testing and prior to movement.
- (15) "USDA" means the United States Department of Agriculture.
- (16) "USDA/APHIS" means the United States Department of Agriculture, Animal and Plant Health Inspection Service.

(NEW) Sec. 22-326s-2. General provisions.

- (a) Vehicles, bird-holding devices, crates, other equipment and any premise where birds are held shall be kept clean and sanitary.
- (b) No live poultry shall be sold, offered for sale or moved in this state by a live poultry hauler, live poultry dealer or live bird market without a bio-security protocol approved by the commissioner or the commissioner's designated agent. The bio-security protocol shall minimally include the following information:
- (1) A description of cleaning and disinfection methods and procedures, and the waste disposal methods and procedures;
 - (2) A listing and description of the names and types of cleaners and disinfectants used for cleaning and disinfection; and
 - (3) The frequency of cleaning and disinfection.
- (c) No live poultry shall be imported into or moved into this state by a live poultry dealer or live poultry hauler unless accompanied by a test certificate which states that:
- (1) the live poultry identified on the test certificate are certified by a state or country of origin animal health official, as being from an avian influenza monitored flock; or

- (2) the live poultry identified on the test certificate are from a flock in which a random sample of thirty (30) birds tested negative for avian influenza within ten (10) days of the date of being moved, using a test approved by the Commissioner; or
 - (3) the live poultry or hatching eggs are identified on a NPIP Form VS 9-3 or equivalent form and are from a flock that has a current NPIP classification of "U.S. Avian Influenza Clean" or better.
- (d) Equipment, procedures, cleaning agents and disinfectants used to wash crates shall be reviewed and approved by the commissioner or the commissioner's designated agent. Equipment, procedures, cleaning agents and disinfectants used to wash crates shall be subject to periodic inspection by the commissioner or the commissioner's designated agent

(NEW) Sec. 22-326s-3. Live poultry hauler standards.

- (a) Multiple use bird-holding devices shall be constructed of non-pervious materials, supply adequate ventilation and shall not be overcrowded.
- (b) Live poultry haulers shall not enter any premises containing live poultry in this state with any vehicle, cage(s), crate(s) and other equipment for the purpose of moving any live poultry or hatching eggs unless the vehicle, cage(s), crate(s) and other equipment have been cleaned and disinfected prior to loading such birds. Record of the cleaning and disinfection shall be entered in the log kept pursuant to section 22-326s-4(b) of the Regulations of Connecticut State Agencies.
- (c) No live poultry hauler shall remove any live poultry from a live bird market.
- (d) Live poultry haulers may be inspected by the commissioner or the commissioner's designated agent at least quarterly. The frequency of inspection may be increased for cause.
- (e) The commissioner or the commissioner's designated agent may test birds, equipment, premises, vehicles and equipment of each live poultry hauler for the presence of avian disease. Specimens and samples, and the types of tests to be conducted shall be determined by the commissioner or the commissioner's designated agent.

(NEW) Sec. 22-326s-4. Live poultry hauler records.

- (a) Each live poultry hauler shall maintain records that document the movement and change of ownership of live poultry. The records shall include a copy of each test certificate, certificate of Veterinary inspection or official health certificate and a copy of each invoice of sale or purchase of live poultry.
- (b) A log book shall be kept with each vehicle transporting live poultry and shall be available for inspection by the commissioner, the commissioner's designated agent, and any live poultry market or live poultry dealer receiving live birds. The log shall record the date and location of cleaning and disinfection of vehicles, crates and other equipment used to move birds, the identification of the vehicle washed and disinfected, and the name of the person responsible for the cleaning and disinfection. When a commercial cleaning and disinfection service is used, copies of a wash tag or receipt from the commercial cleaning and disinfection service shall be retained and placed in the log. The wash tag or receipt shall record the date and location of cleaning and disinfection of vehicles, crates and other equipment used to move birds, the identification of the vehicle washed and disinfected, and the name of the person responsible for the cleaning and disinfection.
- (c) Any alteration, falsification or misrepresentation of information required by this section shall be immediately reported to the commissioner.
- (d) Records required to be kept pursuant to this section shall be maintained for twelve (12) months at the live poultry hauler's principal place of business and shall be available for inspection by the commissioner or the commissioner's designated agent.

(NEW) Sec. 22-326s-5. Live bird market standards.

- (a) Multiple use bird-holding devices shall be constructed of non-pervious materials, supply adequate ventilation and shall not be overcrowded.
- (b) Bird-holding devices, bird contact surfaces, equipment, rooms and areas where birds are kept shall be kept clean and in sanitary condition.
- (c) No person shall enter the premises of a live bird market with any vehicle, cage, crate and other conveyance for the purpose of delivering live poultry unless the vehicle, cage(s), crate(s) and other equipment have been cleaned and disinfected prior to loading such birds. Record of the cleaning and disinfection shall be entered in the log kept pursuant to section 22-326s-4(b) of the Regulations of Connecticut State Agencies.
- (d) All live poultry purchased by a live bird market shall be accompanied by a test certificate which states that:
 - (1) the live poultry identified on the test certificate are certified by a state or country of origin animal health official, as being from an avian influenza monitored flock; or
 - (2) the live poultry identified on the test certificate are from a flock in which a random sample of thirty (30) birds tested negative for avian influenza within ten (10) days of the date of being moved, using a test approved by the commissioner; or
 - (3) the live poultry are identified on a NPIP Form VS 9-3 or equivalent form and are from a flock that has a current NPIP classification of "U.S. Avian Influenza Clean" or better.
- (e) Every three (3) months each live bird market shall sell off and depopulate all animals and birds, and clean and disinfect all bird holding devices and bird contact surfaces, and shall not reintroduce birds for a twenty-four (24) hour period starting from the time the last bird or animal on the premise was euthanized. The department shall be notified of the depopulation no less than two weeks prior to depopulation.
 - (1) Live bird markets may be inspected by the commissioner or the commissioner's designated agent at least quarterly. The frequency of inspection may be increased for cause.
 - (2) The commissioner or the commissioner's designated agent may test birds, equipment, premises and equipment of each live bird market for the presence of avian disease. Specimens and samples, and the types of tests to be conducted shall be determined by the commissioner or the commissioner's designated agent.

(NEW) Sec. 22-326s-6. Live bird market, records.

- (a) Each live bird market shall maintain records that document the chain of custody of birds offered for sale. The records shall include, a copy of each test certificate, certificate of Veterinary inspection or official health certificate and a copy of each live poultry invoice.
- (b) Each live bird market shall make available for inspection a copy of the bio-security protocol required in Section 22-326s-2(b) of the Regulations of Connecticut State Agencies.
- (c) Any alteration, falsification or misrepresentation of information required by this section shall be immediately reported to the commissioner.
- (d) Records required to be kept pursuant to this section shall be maintained for twelve (12) months at the live bird market's principal place of business and shall be available for inspection by the commissioner or the commissioner's designated agent.

(NEW) Sec. 22-326s-7. Live poultry dealer, standards.

- (a) Multiple use bird-holding devices such as crates shall be constructed of non-pervious, easily cleanable materials. Bird holding devices shall supply adequate ventilation and shall not be overcrowded.

- (b) Bird-holding devices, bird contact surfaces, equipment, rooms and areas where birds are kept shall be kept clean and sanitary.
- (c) No person shall enter the premises of a live poultry dealer with any vehicle, cage, crate and other conveyance for the purpose of delivering live poultry unless the vehicle, cage(s), crate(s) and other equipment have been cleaned and disinfected prior to loading such birds. Record of the cleaning and disinfection shall be entered in the log kept pursuant to section 22-326s-4(b) of the Regulations of Connecticut State Agencies.
- (d) Live poultry dealers may be inspected by the commissioner or the commissioner's designated agent at least quarterly. The frequency of inspection may be increased for cause.
- (e) The commissioner or the commissioner's designated agent may test birds, equipment, premises, vehicles and equipment of each live poultry dealer for the presence of avian disease. Specimens and samples, and the types of tests to be conducted shall be determined by the commissioner or the commissioner's designated agent.

(NEW) Sec. 22-326s-8. Live poultry dealer records.

- (a) Each live poultry dealer shall maintain records that document the change of ownership and movement of live poultry. The records shall include a copy of each test certificate, certificate of Veterinary inspection or official health certificate and a copy of each invoice of sale and purchase of live poultry.
- (b) Each live poultry dealer shall maintain a log book. The log book shall record consignments, purchases and sales of live poultry or hatching eggs. The log book shall indicate the name and address of each person, firm or corporation purchasing birds or hatching eggs and each person firm or corporation supplying birds or hatching eggs and the transaction dates.
- (c) Each live poultry dealer shall make a copy of the bio-security protocol required by section 22-326s-2(b) of the Regulations of Connecticut State Agencies available for inspection.
- (d) Any alteration, falsification or misrepresentation of information required by this section shall be immediately reported to the commissioner.
- (e) Records required to be kept pursuant to this section shall be maintained for twelve (12) months at the live poultry dealer's principal place of business and shall be available for inspection by the commissioner or the commissioner's designated agent.

(NEW) Sec. 22-326s-9. Avian disease control and elimination, live poultry dealer, live poultry hauler or live bird market.

- (a) When avian disease is suspected or confirmed at a live bird market, live poultry dealer or live poultry hauler, the commissioner or the commissioner's designated agent may investigate the origin and cause of the avian disease and may implement avian disease control measures, including, but not limited to, the following:
 - (1) Collection of specimens and samples, and the testing of birds, specimens and samples for the presence of avian disease; and
 - (2) The commissioner or the commissioner's designated agent may issue such orders as are necessary to prevent, control and eliminate avian disease, including the destruction of live poultry and hatching eggs.
- (b) When avian disease is suspected or confirmed at a live bird market, live poultry dealer or live poultry hauler the live bird market, live poultry dealer or live poultry hauler shall:
 - (1) Make available to the commissioner or the commissioner's designated agent any and all records that may be pertinent to the prevention, control and elimination of avian disease, including, but not

limited to, records of sales of birds, purchases of birds, movement of birds and cleaning and disinfection records;

- (2) Effectively clean and sanitize all vehicles, bird holding devices, bird holding areas, equipment or other equipment, buildings, or other live poultry or hatching egg contact surfaces; and
 - (3) Test negative for the presence of avian disease and pass a bio-security inspection by the commissioner or the commissioner's designated agent before offering live poultry or hatching eggs for sale.
- (c) When avian disease is suspected or confirmed at a live bird market, live poultry dealer or live poultry hauler the commissioner or the commissioner's designated agent may require the bio-security protocol used by the live bird market, live poultry dealer or live poultry hauler be reviewed by a veterinarian or other poultry disease expert. The commissioner or the commissioner's designated agent may require the live bird market, live poultry dealer or live poultry hauler to follow the avian disease control measures recommended by the veterinarian or poultry disease expert or the recommendations of the State Veterinarian.